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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,972	12/09/2003	Kenneth M. Slyter	038190/233786	3677

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EXAMINER

WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
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3632

MAIL DATE	DELIVERY MODE
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05/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/730,972	SLYTER, KENNETH M.	
	Examiner	Art Unit	
	Alfred Joseph Wujciak III	3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 10-16 is/are allowed.
- 6) ☒ Claim(s) 1,3-9 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the non-final Office Action for the serial number 10/730,972, QUICK RELEASE SUPPORT POST AND ASSOCIATED METHOD, filed on 12/9/03.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-9 and 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, lines 4-5, “a portion of said first sleeve” and “a portion of said second sleeve” are indefinite because the applicant is trying to define the elements (14 and 15 from the drawings) that are connected to the first and second sleeves but from examiner’s interpretation, the applicant is claiming the portion is located on edge of first or second sleeves. To overcome this rejection, the examiner proposes to add this language after the word "sleeves" in claim 1, line 3, to ---having an expandable engagement member,--- and replace all of “portion” to ---said expandable engagement member--- for clarification.

Claim 17, line 4, “ a portion of said first sleeve” is indefinite because the applicant is trying to define the element (15 from the drawings) that is connected to the first sleeve but from examiner's interpretation, the applicant is claiming the portion is located on edge of the first sleeve. To overcome this rejection, the examiner proposes to add this language after the words “elongated rod;” in claim 17, line 3, to ---elongated rod, the first sleeve having an expandable

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engagement member--- and replace “portion” to ---said expandable engagement member--- for clarification.

Claim 1, line 7 and claim 17, line 6, “and to cause radial expansion” is indefinite because it is not clear which elements, elongated rod or first sleeve, cause the radial expansion. It should be changed to ---wherein the elongated rod causes radial expansion--- for clarification.

Allowable Subject Matter

Claims 1, 3-9 and 17-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2 and 10-16 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joey Wujciak whose telephone number is (571) 272-6827 or send e-mail to the examiner at Joey.Wujciak@uspto.gov. The fax machine telephone number for the Technology Center is (571) 273 8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Primary examiner

A. Joseph Wujciak III

Art Unit 3632

5/27/08

/A. Joseph Wujciak III/

Application Number 	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/730,972	SLYTER, KENNETH M.	
	Examiner	Art Unit	
	Alfred Joseph Wujciak III	3632	